

**§ 52.471 Classification of regions.**

The District of Columbia plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
National Capital Interstate .....	I	I	III	I	I

[37 FR 10857, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 46 FR 61263, Dec. 16, 1981]

**§ 52.472 Approval status.**

(a) With the exceptions set forth in this subpart, the Administrator approves the District of Columbia's plan for the attainment and maintenance of the national standards.

(b) With respect to the transportation control strategies submitted on April 19, July 9, and July 16, 1973, the Administrator approves the measures for parking surcharge, car pool locator, vehicle inspection, express bus lanes, increased bus fleet and service, elimination of free parking by private employers, with exceptions set forth in §§ 52.476, 52.483, 52.486, and 52.479.

(c) With the exceptions set forth in this subpart, the Administrator approves the District of Columbia's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977.

(d) Section 710 of title 20 of the District of Columbia Regulations is approved with the following condition: Any alternative controls or exemptions under section 710.8 approved or granted by the District of Columbia are subject to a public notice and public hearing requirements and must be submitted to EPA as SIP revisions. Such alternatives or exemptions are not effective until approved as SIP revisions by EPA.

(e) [Reserved]

(f) Disapproval of revisions to the District of Columbia State Implementation Plan, District of Columbia Municipal Regulations (DCMR) Title 20, Sections 200, 201, 202, 204 and 299, pertaining to permitting of sources, and

associated definitions in Section 199 submitted on June 21, 1985 and October 22, 1993 by the Mayor of the District of Columbia (1985 submittal) and by the Administrator of the District of Columbia Environmental Regulation Administration (1993 submittal). The disapproved regulations include those applicable to major new and major modified sources wishing to locate in the District. A new source review program for such major sources is required under sections 182 and 184 of the Clean Air Act. There are many deficiencies in the DCMR permitting regulations. Some of these deficiencies are the lack of public notice and comment procedures for new and modified sources applying for construction permits, the existence of a provision that allows the Mayor to grant indefinite 1-month temporary permits to those sources whose permits he/she determines have been delayed because of his/her office, the inclusion of a major source operating permit program, the inclusion of a minor source operating permit program that does not meet Part D requirements of the Act, the exemption of certain fuel burning (nitrogen oxide emitting) sources, incorrect citations of the Clean Air Act, a provision that allows circumvention of the offset requirement, and the lack of the de minimis special modification provisions required in serious and severe ozone nonattainment areas (section 182(c)(6) of the Clean Air Act).

[38 FR 33709, Dec. 6, 1973, as amended at 46 FR 61263, Dec. 16, 1981; 57 FR 34251, Aug. 4, 1992; 60 FR 5136, Jan. 26 1995; 60 FR 15486, Mar. 24, 1995; 61 FR 2936, Jan. 30, 1996]